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Message Text

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ACTION HCRE-00

INFO OCT-00 ADS-00 H-01 VOE-06 /007 W
----------250071 101829Z /38
R 101536Z AUG 74
FM AMEMBASSY VIENNA
TO SECSTATE WASHDC 1770

UNCLAS VIENNA 10741

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H-PASS

E.O. 12356: N/A
TAGS: CVIS AU IR (SIDUNY KALIMI, GAHANGIR)(BARDI
KALIMI, TAJI)(SIOUNY KALIMI, SHAHIN)
SUBJECT: NIV CASE; VISA CONGRESSIONAL CORRESPONDENCE

REF.: STATE 229501

TD: THE HONORABLE ALFDNSE D'AMATO
UNITED STATES SENATE
WASHINGTON, D.C. 20515

DEAR SENATOR D'AMATO:

I REFER TO YOUR RECENT CABLE ADDRESSED TO AMBASSADOR VON DAMM AND RECEIVED HERE ON AUGUST 10, CONCERNING THE VISITOR'S VISA APPLICATIONS OF MR. GAHANGIR SIOUNY KALIMI AND HIS WIFE AND DAUGHTER. CONGRESSMEN STEPHEN SOLARZ, CHARLES SCHUMER, AND MARIO BIAGGI HAVE ALSO INQUIRED ON THE SIOUNY FAMILY'S BEHALF.

AMONG OTHER THINGS, U.S. IMMIGRATION LAW REQUIRES U.S. CDNSULAR OFFICERS TO BE SATISFIED, BEFORE ISSUING A VISA, THAT APPLICANTS FOR TOURIST VISAS HAVE A
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RESIDENCE ABROAD WHICH THEY HAVE ND INTENTION OF ABANDONING. TO MAKE THIS DETERMINATIDN, CONSULAR OFFICERS GENERALLY CONSIDER EVIDENCE WHICH TENDS TO SHOW THAT THE APPLICANT HAS CDMPELLING REASONS TO RETURN TO A PERMANENT RESIDENCE ABROAD AFTER A TEMPORARY STAY IN THE UNITED STATES. MOST PEOPLE TRY TO DEMDNSTRATE THAT THEY

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HAVE CAREER OR IMMEDIATE FAMILY COMMITMENTS ABROAD.
WELL-KNOWN SPECIAL CIRCUMSTANCES IN THE APPLICANT'S HOME
COUNTRY ARE ALSO CONSIDERED WHEN EVALUATING THE CLAIMS.

THE VISA OFFICER ADVISES ME THAT THE SIOUNY FAMILY TWICE
APPLIED FOR VISITORS' VISAS ON JULY 20 AND AGAIN ON JULY
31. ON EACH OCCASION THE CONSULAR OFFICER, AFTER
INTERVIEWING ONE DR MORE FAMILY MEMBERS, DENIED THE
VISA BECAUSE HE WAS NDT CONVINCED THAT THE SIOUNYS DID
NOT INTEND TO ABANDON THEIR RESIDENCE ABROAD. AMONG THE
PRINCIPAL FACTORS IN REACHING THE DETERMINATIDN NOT TO
ISSUE WERE THE FOLLOWING:
THE SIOUNYS, WHO ARE JEWISH IRANIANS, ENTERED AUSTRIA
WITH AUSTRIAN VISAS OBTAINED THROUGH THE UNITED HEBREW
IMMIGRATION AID SERVICE (HIAS) WHICH HAD RECEIVED
ASSURANCES THAT THE FAMILY WOULD APPLY AS REFUGEES. THE
OLDER DAUGHTER, WHO WAS ALREADY IN AUSTRIA, HAS IN
FACT APPLIED FOR REFUGEE STATUS. THE ONLY IMMEDIATE
FAMILY MEMBER LEFT IN IRAN IS ONE SON. THE APPLICANTS
PRESENTED NO DOCUMENTATION OF ANY PROPERTY TIES TO
IRAN, AND MR. SIOUNY, WHO IS A JEWELLER, PRESUMABLY
COULD PRACTICE HIS PROFESSIDN ANYWHERE. IN THE INTERVIEW
THE APPLICANTS WERE UNABLE TO EXPLAIN WHY ONLY ONE MEMBER
OF THE FAMILY (THE OLDER DAUGHTER) WOULD FEAR PERSECUTION
IN IRAN, AND THEY CONCEDED THAT THE YOUNGER DAUGHTER
MAY WELL NOT GO BACK TD IRAN, ALTHOUGH THEY SUGGESTED
THAT SHE WOULD ULTIMATELY STAY WITH RELATIVES IN ISRAEL.
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THE CONSUL GENERAL WAS APPRISED FULLY OF THE GROUNDS FOR
THE DENIAL WHICH HE SUSTAINED AFTER CAREFUL REVIEW.

THE CONSUL GENERAL AND THE VISA OFFICER CAN WELL IMAGINE
MR. AND MRS. SIDUNY'S CONCERN ABOUT THEIR SON AND THEY
ARE FULLY AWARE THAT HIS ILLNESS CAUSES HARDSHIP FOR THE
SIOUNY'S OTHER SON IN THE UNITED STATES. THEY REMAIN
CONVINCED, HOWEVER, THAT ISSUANCE OF VISITORS' VISAS
TO THE SIOUNYS IS NOT THE APPROPRIATE RESPONSE.

I HOPE THAT THE ABOVE INFORMATION WILL BE HELPFUL TO YOU
AND THAT YOU WILL CONTINUE TO LET ME KNDW WHENEVER THIS
EMBASSY CAN PROVIDE ASSISTANCE OR INFORMATION TO YOU OR
YOUR CONSTITUENTS.

SINCERELY,
FELIX S. BLOCH, CHARGE D'AFFAIRES A.I.
VIENNA, AUSTRIA. BLOCH
VON DAMM

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